

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA**

In re:

	)	
New Beginnings Care, LLC	)	Case No. 16-10272 NWW
Abbeville Healthcare & Rehab, LLC	)	Case No. 16-10273 SDR
Campus Healthcare & Rehab, LLC	)	Case No. 16-10275 SDR
Cedarcreek Healthcare & Rehab, LLC	)	Case No. 16-10276 SDR
Eastman Healthcare & Rehab, LLC	)	Case No. 16-10277 SDR
Edwards Redeemer Healthcare & Rehab, LLC	)	Case No. 16-10278 NWW
Goodwill Healthcare & Rehab, LLC	)	Case No. 16-10279 NWW
Jeffersonville Healthcare & Rehab, LLC	)	Case No. 16-10280 NWW
Mt Pleasant Healthcare & Rehab, LLC	)	Case No. 16-10282 SDR
Oceanside Healthcare & Rehab, LLC	)	Case No. 16-10283 SDR
Pinewood Healthcare & Rehab, LLC	)	Case No. 16-10284 SDR
Rockmart Healthcare & Rehab, LLC	)	Case No. 16-10285 SDR
Savannah Beach Healthcare & Rehab, LLC	)	Case No. 16-10286 SDR
Woodlands Healthcare & Rehab, LLC	)	Case No. 16-10287 SDR
	)	
Debtors.	)	Chapter 11
	)	Jointly Administered Requested

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**DEBTORS' MOTION TO SET EMERGENCY HEARING ON  
CERTAIN FIRST DAY MOTIONS**

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**NOTICE OF HEARING**

Notice is hereby given:

That a hearing will be held in the Third Floor Courtroom A, Historic Post Office and Courthouse, 31 East 11<sup>th</sup> Street, Chattanooga, Tennessee 37402, on January 26, 2016, at 10:00 a.m., on this Motion.

**If you do not want the court to grant the relief requested, you or your attorney must attend this hearing. If you do not attend the hearing, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.**

The Debtor, New Beginnings Care, LLC, et. al. ("Debtors"), hereby move the Court to conduct an emergency hearing as soon as possible on the motions filed by the Debtor as described herein and would show the following:

1. The Debtors instituted this Chapter 11 voluntary proceeding on January 22, 2016.
2. The Court has jurisdiction pursuant to 28 USC § 1334. This is a core proceeding pursuant to 28 USC § 157(b)(2).

3. The Debtors have filed Debtors' Certain First Day Motions ("Motions"):

1. Debtors' Expedited Motion for an Order Authorizing Joint Administration Pursuant to Federal Rule of Bankruptcy Procedure 1015;
2. Debtors' Emergency Motion Pursuant to 11 U.S.C. §§ 105, 361, 362, 363 and 364 for Interim and Final Orders (I) Authorizing the Debtors to Use Cash Collateral, (II) Granting Adequate Protection to the Pre-petition Lender, (III) Modifying the Automatic Stay, and (IV) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001;
3. Debtors' Expedited Motion for Order Authorizing Payment of Pre-petition Wages, Payroll Taxes, Certain Employee Benefits and Related Expenses;
4. Debtors' Expedited Motion for Order Authorizing the Debtors to Pay Pre-petition Sales, Use, Trust Fund and Other Taxes and Related Obligations;
5. Debtor's Expedited Motion for Order Authorizing Maintenance of Existing Bank Accounts;
6. Debtors' Expedited Motion to Limit Notice & Establish Notice Procedure
7. Debtors' Expedited Application for an Order Approving and Authorizing Debtors' Employment of David J. Fulton, Esq. and Scarborough & Fulton as Counsel; and
8. Debtors' Expedited Application for an Order Approving and Authorizing Debtors' Employment of 3MC Consulting, LLC, as Accountant; and

4. The Debtors are requesting that this Court set an emergency hearing on the Motions on shortened and limited notice as set forth herein. The Debtors believe it is necessary that the Court consider the Motions as soon as possible in order to avoid irrevocable harm to the Debtors and the Bankruptcy Estate. The Debtors request that the Court conduct the emergency hearing on January 26, 2016 at 10:00 a.m., US Historic Courthouse, 31 East 11<sup>th</sup> Street, Chattanooga, TN 37402. The Debtors have served copies of the Motions and this motion on the

United States Trustee, United States Attorney, the thirty largest unsecured creditors and the secured creditor.

6. The Debtors request that the Court deem service of the Motions and this motion as adequate and appropriate under the circumstances and in full compliance of all applicable provisions of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure and the Local Rules of the United States Bankruptcy Court for the Eastern District of Tennessee. The setting of these limited matters is made pursuant to Rule 9006(c) of the Federal Rules of Bankruptcy Procedure and the applicable provisions of the Local Rules.

WHEREFORE, the Debtors request that the Court set an emergency hearing on shortened notice in order to consider the relief requested in the Motions as soon as possible and to grant such other and further relief as it is deemed appropriate.

SCARBOROUGH & FULTON

By: /s/David J. Fulton

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Motion was served in order of preference by email, fax or overnight delivery with sufficient postage to carry it to its destination, dated this 22<sup>nd</sup> day of January, 2016 to:

United States Trustee  
[Ustpreion08.cn.ecf@usdoj.gov](mailto:Ustpreion08.cn.ecf@usdoj.gov)

U.S. Attorney  
[USATNE.ECFChattBK@usdoj.gov](mailto:USATNE.ECFChattBK@usdoj.gov)

30 largest unsecured creditors

Gemino Healthcare Finance  
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By: /s/David J. Fulton  
David J. Fulton